

**NAVAJO COUNTY**  
**MINUTES**  
**BOARD OF ADJUSTMENT MEETING**  
**February 12, 2003**

Board of Adjustment Members

**ATTENDED**

1. Bill Arendell, Chairman
2. Harry Hancock
3. Carla Bowen

Staff Attendance

1. Alan Knight, Code Enforcement Officer
2. Mary Bradley, Secretary

**ABSENT**

Meeting held at the Board of Supervisors' Administration Conference Room, Holbrook, Arizona – Time 10:00 a.m.

**Bill Arendell** called the meeting of the Navajo County Board of Adjustment to order, and explained the meeting procedures to the public and then led the Pledge of Allegiance.

**Item #1: Variance:** Discussion and possible board action on a request by **Larry & Patti Mitchell** to reduce the corral setback from 40' to 0' at the rear, and 40' to 12' at the south side to allow the existing enclosure to remain. Location: APN: 212-31-100, T9N, R22E, Section 26, 453 Lilly Dr., Lakeside Forest Estates, in the Lakeside area. **Alan Knight** gave a case history of the project and presented maps showing the general area and site plan. The stated reason for this request is to reduce the corral setback from 40' to 0' at the rear, and 40' to 12' at the south side to allow the existing enclosure to remain. Mr. Knight said that he received 8 letters in favor, (with one being outside the 300 feet range) and two in opposition. Mr. Knight indicated that the horse corral and horse has been on the property for approximately 15 years. Mr. Knight said that he visited the property and he did not see any problems in regards to odor and flies. Staff recommends approval with stipulations. **Larry and Patti Mitchell** are the applicants and they were in attendance. Ms. Mitchell indicated that she had the horse for about 15 years. Ms. Mitchell presented the Board with photos of her property. Ms. Mitchell commented that she did not realize that anyone had a problem with the horse. **Linda Hutchinson** indicated that she was in favor of the variance. **No one came forward to speak in opposition pertaining to this matter.** **Carla Bowen** expressed her concern that the Lot was too small for a horse (1/3 of an acre). Ms. Bowen said that if the variance were to be granted then she would like to see another stipulation added (if the property was ever to be transferred ownership then the variance would be rescinded). A motion was made by **Carla Bowen** to approve the variance with the stipulations stated by staff and to include the additional stipulation that was mentioned. ***RECOMMENDED STIPULATIONS: 1. Only one (1) horse may be kept on the property due to square footage limitations. 2. Owners must continue proper maintenance and manure removal to minimize odors and fly populations. 3. If property changes ownership, Variance is rescinded.*** **Harry Hancock** seconded the motion. Motion unanimously carried.

**Item #3: Variance:** Discussion and possible Board action on a request by **John & Darlene Horne**, for a variance to reduce the front setback from 20' to 9', and the rear setback from 15' to 7' to allow a new manufactured home to replace the smaller 1971 trailer which could not meet the present safety codes. Location: APN: 212-33-062, T9N, R22E, Section 26, 199 Shoreline Dr. in the Lakeside area. **Alan Knight** gave a case history of the project and presented maps showing the general area and site plan. The stated reason for this request is to reduce the front setback from 20' to 9', and the rear setback from 15' to 7' to allow a new manufactured home to replace the smaller 1971 trailer, which could not meet the present safety codes. Mr. Knight indicated that the lot was undersized and that this would be a minor impact to the area. Mr. Knight said that the manufactured home would encroach into the setback but it would be a minor encroachment. Mr. Knight said that there are a number of mobile homes in this park that when it was established never paid attention to setbacks. Mr. Knight said that he gave the Horne's permission in lieu of getting a letter from them that said if the variance wasn't granted then they would remove the newer manufactured home. Mr. Knight said that the older trailer is gone and he requested that the

applicants supply him with a copy of the sewer permit from the local sewer district. Staff has received one phone call in favor and none in opposition. Staff recommends approval of the variance with a stipulation. **Darlene and John Horne** are the applicants and they were in attendance. **Darlene Horne** said that the manufactured home is a newer and safer model. Ms. Horne explained that they had a certain amount of time once they purchased the manufactured home to remove it from the owner's property and that is why they took the chance to replace their old model with the newer one. **John Horne** said that he was upfront with his neighbors regarding the encroachment of the setbacks. Mr. Horne went on to say that there are several mobile homes that are encroaching on setbacks in this area. **There was no public in attendance that came forward to speak in favor or opposition pertaining to this matter.** **Carla Bowen** indicated that she had visited the property and was misled by the staff report, which said that the manufactured home was new. Ms. Bowen said that when she visited the site she was expecting to see a new manufactured home instead of used slightly older model. Ms. Bowen asked staff in the future to put the year of the manufactured home on the staff report so that it would clear up any confusion. A motion was made by **Carla Bowen** to approve the Variance with the one stipulation stated by staff. **RECOMMENDED STIPULATION: 1. All set-up permits secured prior to placement of Manufacture Home.** **Harry Hancock** seconded the motion. Motion unanimously carried.

**Item #2: Use Permit:** Discussion and possible Board action on a request by **Theodore J. Martineau**, for a Use Permit to allow the placement of a mobile home as a guesthouse on the same 40 acre parcel. Location: APN: 203-59-006, T14N, R23E, Section 9, 5358 Hay Hollow Rd, Concho Hwy area. **Alan Knight** gave a case history of the project and presented maps showing the general area and site plan. The stated reason for this request is to allow the placement of a mobile home as a guesthouse on the same 40-acre parcel. The changing conditions would be that there are 2 residences on the same parcel. Mr. Knight stated that staff had not received any letters in favor or opposition. Staff recommends approval with stipulations. **There was no public in attendance that came forward to speak in favor or opposition pertaining to this matter.** A motion was made by **Harry Hancock** to approve the Use Permit with the stipulations stated by staff. **RECOMMENDED STIPULATIONS: 1. Septic System will be properly permitted and installed, and/or certified by licensed contractor. 2. Neither residence shall ever be used as a rental. 3. All set-up permits secured prior to placement of mobile home. 4. If mobile home is pre-1976, a rehabilitation certificate must be presented to the Building Department with the permit application. 5. Setbacks must be met as per the area's zoning requirements.** **Carla Bowen** seconded the motion. Motion unanimously carried.

**Item #4:** Possible approval of the minutes for the **December 11, 2002** meeting. A motion was made by **Harry Hancock** to approve the minutes. **Bill Arendell** seconded the motion. Motion unanimously carried.

**Item #5:** Board Members comments and/or directions to staff. Board Members may use this time to offer additional comments regarding any item on this agenda or any other topic, and the Board may direct Development Services Department staff to study or provide additional information on topics of the Boards choosing.

With there being no further business to come before the Board of Adjustment, the meeting was adjourned at 10:35 a.m. A motion was made by **Harry Hancock** to adjourn. **Bill Arendell** seconded the motion. Motion unanimously carried.

The Board reserves the right to adjourn into an executive session when needed, per A.R. S. 38-431.03 (A)(3) for legal counsel on the above matter.

NOTE: A copy of the agenda background material provided to the Board Members (with exception of material relating to possible executive sessions) is available for public inspection at the Development Services Office, Navajo county Complex, Holbrook, Arizona, and Monday through Friday, 8:00 a.m. to 5:00 p.m.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Signed: \_\_\_\_\_  
Chairman, Navajo County  
Board of Adjustment

ATTEST:

\_\_\_\_\_  
Development Services Secretary